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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,583	02/27/2002	Jurgen SieneI	Q68454	3868

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EXAMINER

ARMSTRONG, ANGELA A

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 12/13/2006

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/069,583
Filing Date: February 27, 2002
Appellant(s): SIENEL ET AL.

Kevin C. Kunzendorf
Registration No. 58,308
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed September 19, 2006, appealing from the Office action mailed January 13, 2006.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Urs et al (US Patent No. 6,292,781).

Regarding claim 1, Urs discloses method and apparatus for facilitating distributed speech processing in a communication system, and provides support for a telecommunication system (Figure 3; col. 7, line 3 to col. 9, line 52) comprising a terminal, a switch and at least a part of an I-net comprising a memory for storing I-net information blocks at locations defined by I-net

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addresses, with at least parts of said I-net addresses being generated in response to control signals originating from said terminal (col. 7, lines 54-65), and with at least parts of said I-net information blocks being sent from said memory to said terminal in the form of response signals (col. 7, line 3 to col. 9, line 52), wherein said switch comprises a detector for detecting speech-recognition and non-speech-recognition related parts in said control signals and said response signals (col. 7, line 3 to col. 9, line 52), and a processor for, in response to a detection of said speech-recognition or non-speech recognition related parts, processing said control signals and said response signals (col. 7, lines 33-65—data connection and voice connection for detecting speech command, processing the user's request, and providing the requested information via the data connection), said I-net comprising at least one of an intranet or Internet (col. 7, lines 54-65; col. 8, line 12-col. 9, line 52).

Regarding claim 2, Urs discloses wherein said processor, in response to a detection of a speech-recognition related part in said control signals, routes said speech-recognition related part to a server for converting said speech-recognition related part into an address signal destined for said memory (col. 7, line 54 to col. 8, line 11), and with said processing comprising, in response to a detection of a non-speech-recognition related part in a control signal, converts said non-speech-recognition related part into an address signal destined for said memory (col. 8, lines 12-41).

Regarding claim 3, Urs disclose the terminal comprises a preprocessing unit (316) for preprocessing speech-recognition related parts of said control signals, with said server comprises a final processing unit for final processing said preprocessed speech-recognition related parts (col. 8, line 42 to col. 9, line 7).

Regarding claim 4, Urs discloses wherein said processor, in response to a detection of a speech-recognition related part in a response signal, routes said speech-recognition related part to said server, and with said processing comprising, in response to a detection of a non-speech-recognition related part in said response signal, forwards said non-speech-recognition related part to said terminal (col. 7, line 3 to col. 9, line 52).

Regarding claims 5-10, claims 5-10 are similar in scope and content to claims 1-4 and are therefore rejected under similar rationale.

(10) Response to Argument

Applicant's arguments have been fully considered but they are not persuasive.

Applicant argues Urs does not teach or suggest detecting or processing speech-recognition and non-speech recognition related parts of signals, which are sent from a memory of an I-net (Intranet or Internet) to a terminal. In response, applicant is referred to col. 8, line 12 to col. 9, line 52, in which Urs describes the processing of the received information via the data connection wherein the distributed speech processing unit generates speech feature information and is sent to the communication unit and converted to audible speech.

Applicant argues Urs does not teach or suggest a signal, which is composed of both speech recognition and non-speech recognition related parts. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., both speech recognition and non-speech recognition related parts in the same signal) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the

claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claims provide limitations for detecting the speech-recognition and non-speech recognition parts of the response signals, but does not specifically claim that any response signal must specifically have both the speech recognition parts and non-speech recognition parts simultaneously.

Urs discloses a method and apparatus for facilitating distributed speech processing in a communication system by establishing voice and data pathways to support distributed speech processing services. The system provides for a communication unit that performs distributed voice recognition and distributed speech synthesis via the communication infrastructure. The communication unit (102) requests communication services from the communication infrastructure (101) that support both voice and data communication and utilizes a data connection to a distributed speech processing unit (116) to perform distributed voice recognition and distributed speech synthesis. The system of Urs provides adequate support for the detection and appropriate processing of speech and non-speech data in control and/or response signals, since the system of Urs specifically provides for processing both voice and data information in the communication signals transmitted to and from the user and the various components of the communication system.

Applicant argues Urs does not teach or suggest a switch comprising a detector and processor for detecting and processing speech and non-speech recognition related parts in a signal. The Examiner cannot concur. Urs (Figure 3; col. 7, line 3 to col. 9, line 52) discloses a communication system (300), which comprises the communication unit (102), the communication infrastructure (101), and a computer (324). The communication infrastructure (101) comprises a distributed speech processing unit with Internet connectivity, such that

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processor (316) instructs the transmitter (314) to transmit to the communication infrastructure 101 a request for a communication service that supports both voice and data communication, a request for a voice connection, as provided by the communication service, between the communication unit (102) and a communication device, and a request for a data connection, as provided by the communication service, between the communication unit (102) and the distributed speech processing unit. The communication service requested provides both a voice connection and a data connection for use by the communication unit (102). Because only one of the connections may be utilized at a time in the preferred embodiment, switching between the voice connection and the data connection requires an indication to be transmitted to the communication infrastructure. Thus, the system of Urs provides adequate support for a switch comprising a detector and processor for detecting and processing speech and non-speech recognition related parts in a signal, since the system provides communication services to support both voice and data communication, such that the detection and processing of the speech and non-speech data are achieved via the communication infrastructure (which comprises the switching center, Internet, and distributed speech processing unit).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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For the above reasons, it is believed that the rejections should be sustained.

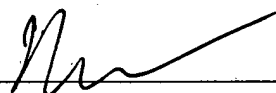
Respectfully submitted,



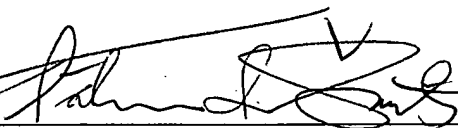
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